

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD,
SAN DIEGO REGION

MS4¹ Permit Comparison:

**Tentative Order No. R9-2007-0002 (Orange County MS4 Permit)
to
The Current Orange County MS4 Permit (Order No. R9-2002-01); and
The New San Diego MS4 Permit (Order No. R9-2007-0001)**

Discussion

The tentative (February 9, 2007) Orange County MS4 Permit would replace the current Orange County MS4 Permit. The new San Diego MS4 Permit is the most recently adopted MS4 permit by the California Regional Quality Control Board, San Diego Region. The tentative Orange County Permit includes modifications to the current Orange County Permit based on results and experience of implementation by the Copermitees. The tentative Orange County Permit also includes elements from the new San Diego MS4 Permit that are based on new information regarding urban runoff effects and management. As a result, the tentative Orange County Permit contains some elements from both existing Permits. Generally, the structure of the three MS4 permits compared here are the same. Headings and numbering of the headings in the Table refer to the tentative Orange County MS4 Permit. The headings are similar within all three permits.

Permit Section in Tentative Order No. R9-2007-02	Comparison to the Current Orange County MS4 Permit, Order No. R9-2002-01	Comparison to the new San Diego MS4 Permit, Order No. R9-2007-0001
A. Prohibitions and Receiving Water Limitations	No net difference. Changes were made for clarity.	No differences
B. Non-storm Water Discharges	No net difference. Changes were made for clarity.	No differences
C. Legal Authority	Section C.1.j has been added to the Order to ensure that best management practices (BMPs) implemented by third parties are effective.	No differences
D. Jurisdictional Urban Runoff Management Program	The Commercial and Industrial program requirements have been combined into one section. The Education requirements have been incorporated into the land-use sections instead of as a separate program component.	The new San Diego Permit includes a separate section for educational requirements.

¹ MS4 = Municipal Separate Storm Sewer System

Permit Section in Tentative Order No. R9-2007-02	Comparison to the Current Orange County MS4 Permit, Order No. R9-2002-01	Comparison to the new San Diego MS4 Permit, Order No. R9-2007-0001
D.1 Development Planning Component		
D.1.a and D.1.b General Plan and Environmental Review Process	The tentative Order requires updating the General Plan and Environmental Review Process on an as-needed basis. The current permit requires the Environmental Review process be revised, and it requires a workplan for changes to the General Plan.	No differences
D.1.c. New Development Requirements	No significant changes.	No differences
D.1.d Priority Projects	<p>This section has been reformatted for clarity. In addition, the following changes have been made:</p> <ol style="list-style-type: none"> 1. A one-acre threshold has been added. Priority Development Projects must include all Development Projects that are equal to one acre in size or greater within three years of adoption of this Order. Previously, some Priority Development Categories lacked an acreage threshold. 2. Where a new Development Project feature, such as a parking lot, falls into a Priority Development Project Category, the entire project footprint is subject to SUSMP² requirements. Although included in the Model San Diego SUSMP approved by the Regional Board in 2002, this provision was not included in the Orange County Model SUSMP, which did not require Board-approval. 3. Heavy Industrial Developments have been added as a Priority Development Category. 4. Retail Gasoline Outlets (RGOs) have been added as a Priority Development Project category. 	No significant differences

² SUSMP = Standard Urban Storm Water Mitigation Plan

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D.1.d Priority Projects (SUSMPs) Continued	<p>5. The site design BMP requirements have been modified to focus on limiting the loss of existing infiltration capacity resulting from a development project. Each Priority Development project must include certain classes of site design BMPs that had been required “where feasible” or “where applicable” by the model countywide Drainage Area Management Plan (DAMP).</p> <p>6. Methods used to determine the appropriate volume of runoff to be treated have been limited.</p> <p>7. Treatment control BMPs selected for implementation at Priority Development Projects must now have a removal efficiency rating that is higher than the “low removal efficiency,” as presented in the Model SUSMP/WQMP.</p> <p>8. A Low-Impact Design (LID) BMP Substitution Program has been added at the request of the Copermittees. The program would provide the opportunity for development projects to avoid partial or full treatment control BMP implementation in exchange for implementation of a high level of site design BMPs.</p> <p>9. Site Design and Treatment Control BMP Design Standards must be developed. This is proposed by the Copermittees.</p> <p>10. An annual review and update of the BMPs that are listed in their local SUSMPs as options for treatment control has been added. This is based on a commitment from the Copermittees.</p>	
D.1.e and D.1.f BMP Verification and Treatment BMP Maintenance Tracking	These sections have been added to the tentative Order to improve the effectiveness of the BMP requirements.	No significant differences

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D.1.h. Hydromodification	<p>This section expands and clarifies current requirements related to hydromodification effects of storm water management.</p> <p>Until specific numeric criteria are recommended by the Storm Water Monitoring Coalition (SMC), the tentative Order specifies that downstream erosion and discharge hydrology must be considered by the Copermittees for Priority Development Projects. This approach is consistent with recommendations from the Copermittees in the ROWD. However, the specificity of factors to consider is more prescriptive in order to be consistent with recent recommendations from the SMC, the State Water Board's Numeric Effluent Panel, and scientific literature identified in the Fact Sheet.</p> <p>A provision for issuing waivers for the hydromodification controls has also been added.</p>	The new San Diego Permit requires development of a Hydromodification Management Plan (HMP).
D.1.i. Education	This section specifies that local water quality conditions of concern, such as 303(d)-listed water bodies, be included in related educational materials.	No significant differences
D.2. Construction Component	This section has been revised for clarity. Several changes are discussed below:	
D.2.b Construction Inventory	The tentative Order requires that the construction inventory be updated regularly rather than annually. This is consistent with modifications proposed in the ROWD and is necessary to ensure more efficient oversight of construction sites. Copermittees will update their inventories as needed to adequately manage inspections, training, and other activities.	The new San Diego Permit requires monthly updates.
D.2.c Site Planning and Project Approval Process	The tentative Order requires the Copermittees to review project proponents' storm water management plans for compliance with local regulations, policies, and procedures prior to issuance of construction and grading permits. The current MS4 Permit allows permits to be issued with a condition to develop such plans.	No significant differences

Permit Section in Tentative Order No. R9-2007-02	Comparison to the Current Orange County MS4 Permit, Order No. R9-2002-01	Comparison to the new San Diego MS4 Permit, Order No. R9-2007-0001
D.2.d BMP Implementation	This section has been revised to direct focus of BMP requirements on high-risk areas and activities. The tentative Order requires BMPs be developed for (1) minimum baseline conditions; and (2) for 303(d)-listed water bodies and environmentally-sensitive areas (ESAs). In addition, conditions for advanced sediment treatment must be clarified. The current MS4 Permit requires BMPs to be developed for low, medium, and high priority sites. The tentative Order's requirements for seasonal restrictions on grading have also been changed	No significant differences
D.2.e Inspections	<p>Minimum inspection frequencies have been modified.</p> <p>1. Large sites: The tentative Order requires sites in active grading during the wet season that are over 30 acres be inspected every two weeks. The current MS4 Permit requires sites over 50 acres be inspected weekly.</p> <p>2. ESAs: The tentative Order requires sites that are one acre and above and adjacent to or discharging directly to ESAs be inspected every two weeks during the wet season and once during August or September. The current MS4 Permit requires such sites five acres and more to be inspected weekly during the wet season.</p>	The new San Diego Permit is similar to The current Orange County MS4 Permit.
D.2.f (Enforcement) D.2.g (Reporting of Non-Compliant Sites) D.2.h (Training and Education)	No significant differences have been made to these sections	No significant differences

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D.2.i Construction Reporting	The reporting section has been modified to clarify information required by the Regional Board to evaluate compliance of the programs with the tentative Order. The tentative reporting requirements focus on a demonstration that each Permittee is appropriately managing the construction component in response on local findings.	Differences in reporting requirements reflect the different requirements. The new San Diego Permit reporting requirements include more focus on confirming Permit compliance.
D.3 Existing Development Component	This section in the tentative Order has been revised to reflect changes sought by the Regional Board and by the Copermittees. Several changes are discussed below for the municipal, commercial/industrial, and residential sub-sections.	
D.3.a. Municipal Component		
D.3.a.1 Municipal Inventory	The tentative Order requires that Permittees maintain an updated inventory of sites, whereas The current MS4 Permit required annual updates.	The new San Diego Permit requires annual updates.
D.3.a.2 General Municipal BMP Implementation	This section has been revised to direct focus of BMP requirements on high-risk areas and activities. This section will require minimum BMPs standards to be developed for municipal areas and activities and that additional BMPs be developed for 303(d) and ESA areas. The current MS4 Permit requires that minimum BMPs be established based on a high, medium, and low prioritization scheme.	No significant differences
D.3.a.3. Pesticides, Herbicides, and Fertilizers	No significant changes	No significant differences

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D.3.a.4. Flood Control Structures	<p>This requirement has been modified to more closely meet federal regulations and guidance. Changes reflect findings from the Copermittees' programs and recent literature described in the Fact Sheet.</p> <p>The tentative Order clarifies the criteria for evaluating the feasibility of retrofitting existing flood control structures. It also requires that results of the evaluation be submitted to the Regional Board.</p> <p>The current MS4 Permit requires each Copermittee evaluate the feasibility of retrofitting and requires retrofits where needed.</p>	The new San Diego Permit more closely resembles The current Orange County MS4 Permit.
D.3.a.5 Sweeping of Municipal Areas	<p>The tentative Order requires specific criteria to be used in order for a municipality to consider street sweeping to be a BMP that is implemented to the MEP standard.</p> <p>The current MS4 Permit does not include these criteria.</p>	The new San Diego Permit requires that a sweeping program be implemented and specifies frequencies based on local priority determinations.
D.3.a.6 MS4 Operation and Maintenance	<p>The tentative Order adds two maintenance requirements in Section D.3.a.6.b:</p> <ol style="list-style-type: none"> 1. Following two years of inspections, any MS4 facility that requires inspection and cleaning less than annually may be inspected as needed, but not less that every other year. 2. Open channels must be cleaned of observed anthropogenic litter in a timely manner. 	<p>The new San Diego Permit allows annual inspections of some facilities to be conducted during the wet season.</p> <p>The new San Diego Permit also specifies criteria for when debris in catch basins and storm drain inlets must be removed.</p>
D.3.a.7. Infiltration From Sanitary Sewer	<p>This section has been moved from the Illicit Discharge Detection and Elimination Component of The current MS4 Permit.</p> <p>Additional requirements consistent with the Copermittees' programs have been added regarding the types of controls to be used to limit seepage from municipal sanitary sewers to MS4s.</p>	The new San Diego Permit lacks the description of controls to use.

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D.3.a.8 Municipal Inspections	This section has been re-formatted to consolidate sections from the current MS4 Permit. Additional municipal areas and activities have been added to the list, including: Parks and recreation facilities; Special event venues following special events (festivals, sporting events, etc.); and power-washing activities. These have been added because they can be significant sources of pollutants. In addition, storm sewers have been removed from the list because they are addressed in another section.	No significant differences
D.3.a.9. Municipal Enforcement	No significant differences	No significant differences
D.3.a.10 Municipal Training and Education	This section has been moved from the Education section of the current MS4 Permit. The tentative Order also requires that topics of local water quality importance be included in the training, including local water quality conditions, impaired water bodies and environmentally sensitive areas.	No significant differences
D.3.a.11. Municipal Reporting	The reporting section has been modified to clarify information required by the Regional Board to evaluate compliance.	Differences reflect the different requirements.
D.3.b Commercial / Industrial	The commercial and industrial sections have been combined and reformatted for clarity. Additional changes are described below.	
D.3.b.1. Inventory	Some commercial activities have been added to the list. These additions are based on program findings by the municipalities and do not constitute a significant change.	No significant differences
D.3.b.2. General BMP Implementation.	This section has been revised to focus BMP requirements on high-risk areas and activities. The tentative Order requires minimum BMP standards be developed for commercial/industrial areas and activities and that additional BMPs be developed for 303(d) and ESA areas. The current MS4 Permit requires that minimum industrial BMPs be established based on a high, medium, and low prioritization scheme.	No significant differences

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D.3.b.3. Mobile Businesses	This section has been added to the tentative Order to focus attention on mobile businesses. The current MS4 Permit lists mobile businesses as one category for which BMPs must be developed. As a result, this is not a significant change.	No significant differences
D.3.b.4 Commercial / Industrial Inspections	<p>Certain requirements for inspection procedures have been added. These largely reflect the procedures used by the Copermittees.</p> <p>Minimum inspection frequencies have been added for the commercial areas and activities. The current MS4 Permit requires inspections as needed. The new frequencies are similar to those currently used by the Copermittees. For instance, the Copermittees currently commit to inspecting each high priority commercial site once every five years. The new requirement is for 20 percent of high priority sites to be inspected every five years. This change will therefore not increase the amount of inspections conducted. It will allow each Copermittee to focus inspections on those facilities or areas it determines warrant inspections, but will set an enforceable Permit requirement.</p> <p>Minimum criteria for restaurant inspections have been added to the Permit. These criteria reflect the water quality concerns reported by the Copermittees at restaurants. Each food facility must be inspected annually.</p> <p>Criteria for third-party inspections have been added to the Permit.</p>	<p>The new San Diego Permit requires that inspections be conducted annually at 100 percent of high priority sites and that inspections of other sites increase to 25 percent after the first year.</p> <p>The new San Diego Permit sets a limit on the amount of required annual inspections that can be satisfied by third-parties.</p>
D.3.b.5 Commercial / Industrial Enforcement	No significant changes	No significant changes

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D.3.b.6 Training / Education for Commercial / Industrial	<p>This section has been moved from the Education section of the current MS4 Permit. The Permit also requires that topics of local water quality importance be included in the training, including local water quality conditions, impaired water bodies and environmentally sensitive areas.</p> <p>This section requires that Permittees notify each commercial / industrial source of BMPs at least twice during the Permit cycle. The current MS4 Permit did not specify frequencies.</p>	The new San Diego Permit requires that Permittees notify each commercial / industrial source of BMPs within three years of the revised program.
D.3.b.7 Annual Commercial / Industrial Reporting	The reporting section has been modified to clarify information required by the Regional Board to evaluate compliance of the programs with the tentative Order. The tentative reporting requirements focus on a demonstration that each Permittee is appropriately managing the construction component in response on local findings.	Differences reflect the different requirements. The new San Diego Permit reporting requirements include more focus on confirming Permit compliance.
D.3.c Residential	This section includes requirements for common interest areas and homeowners associations that are a separate section in the current MS4 Permit. Other changes are described below.	
D.3.c.1. Residential Prioritization	No significant changes	No significant changes
D.3.c.2 BMP Implementation	A sub-section on hazardous waste BMPs has been added to be consistent with federal regulations. This is not a significant change.	No significant changes
D.3.c.3 Residential Enforcement	No significant changes	No significant changes
D.3.c.4 Residential Evaluation	This section has been added to clarify the expectations for the annual reviews of effectiveness in residential areas.	This activity is encouraged in the new San Diego Permit.
D.3.c.5 Common Interest Areas / Homeowners Associations	A requirement to conduct a legal review of authority has been added. Although each Copermittee is already required to demonstrate legal authority to implement the Permit, this will ensure that each Copermittee is using the most effective legal authority to implement the program.	The new San Diego Permit does not contain a requirement to review legal authorities.

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D.3.c.6 Residential Education	This section specifies that local water quality conditions of concern, such as 303(d)-listed water bodies, be included in related educational materials.	No significant differences
D.3.c.7	The reporting section has been modified to clarify information required by the Regional Board to evaluate compliance.	Differences reflect the different requirements.
D.4. Illicit Discharge Detection and Elimination		
D.4.a Prevent and Detect Illegal Discharges	Additional wording has been added to this section to clarify and ensure that all appropriate (i.e., field personnel) municipal personnel are utilized in the program to observe and report these illicit discharges and connections	No significant differences
D.4.b MS4 Map	This is a new requirement. This is not a significant change because keeping an updated map is central to the general urban runoff program of each Copermittee. For instance, maps must be kept updated in order to conduct investigations, plan inspections, and other activities.	No significant differences
D.4.c Public Hotline	The requirement to summarize all reported incidents in the Annual Report has been eliminated.	The new San Diego Permit is similar to the current Orange County MS4 Permit.
D.4.d Dry Weather Monitoring	The monitoring requirements have been revised. Changes are discussed in the Monitoring and Reporting section.	Changes are discussed in the Monitoring and Reporting section.
D.4.3 Investigation and Follow-up	<p>Additional language has been added to this section to clarify the minimum level of effort and timeframes for follow up investigations when dry weather action levels are exceeded.</p> <p>The tentative Order requires the use of numeric action level criteria for determining when to conduct investigations. This is not an explicit requirement within the current MS4 Permit. It has been implemented by the Copermittees and has become an important component of each municipality's program.</p>	No significant differences

Permit Section in Tentative Order No. R9-2007-02	Comparison to the Current Orange County MS4 Permit, Order No. R9-2002-01	Comparison to the new San Diego MS4 Permit, Order No. R9-2007-0001
D.4.f. Elimination Of Illicit Discharges And Connections	The language in this section has been revised to more accurately reflect the ability of the Copermittees to eliminate illicit discharges and connections.	No significant differences
D.4.g. Enforce Ordinances	No significant changes	No significant differences
D.4.h. Spill Prevention and Response	No significant changes	No significant differences
D.4.i Education	No significant changes	No significant differences
D.4.j Annual Reporting	The reporting section has been modified to clarify information required by the Regional Board to evaluate compliance. The tentative reporting requirements focus on a demonstration that each Permittee is appropriately managing the construction component in response on local findings.	Differences reflect the different requirements. The new San Diego Permit reporting requirements include more focus on confirming Permit compliance.
D.5. Public Participation Component	No significant changes	No significant differences
E. Watershed Urban Runoff Management Program (WURMP)	Several modifications have been made to this section as described below.	
E.3.1.a Lead Watershed Permittee	The tentative Order designates one Copermittee as the Lead Watershed Permittee. The designations are consistent with established roles for each existing WURMP.	No significant differences
E.3.1.b Watershed Map	The tentative Order no longer requires mapping of inventoried construction sites.	No significant differences
E.3.1.c. Annual Water Quality Assessment	This is not a significant change. An assessment was implicit in the current MS4 Permit's requirement to prioritize water quality problems.	No significant differences

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E.3.1.d Watershed Strategy	<p>This section clarifies the Regional Board's expectations of the process to be used by municipalities to develop lists of recommended activities. The current MS4 Permit does not establish criteria or a process to be used, other than assessing water quality and sources of pollution, in order to develop implementation strategies.</p> <p>This section also describes the role of the lead watershed Permittee in collating and documenting the watershed strategy.</p>	The new San Diego Permit does not include a process for evaluation and selection of BMPs.
E.3.1.e BMP Implementation	The tentative Order requires a minimum number of watershed program activities to occur in each year. The current MS4 Permit allows the Watershed Copermittees to develop implementation time schedules for activities conducted during the permit term.	No significant differences. These requirements are located in the "Watershed Activities" section in The new San Diego Permit.
E.3.1.f Information Exchange	<p>This section adds requirements for watershed Permittee collaboration, including regular meetings.</p> <p>This section requires the Lead Watershed Permittee to make certain information available to the public.</p>	No significant differences
E.3.1.g WURMP Updates	No significant changes	No significant differences
E.3.1.h Watershed-Based Land-Use Planning	No significant changes	No significant differences
E.2 Reporting	The reporting section has been modified to clarify information required by the Regional Board to evaluate compliance of the programs with the tentative Order. The reporting requirements are structured similar to the existing reporting requirements for the Aliso Creek watershed Copermittees.	The new San Diego Permit includes reporting on TMDL ³ implementation. It also requires that more specific details be reported regarding BMP implementation.

³ TMDL = Total Daily Maximum Load. A TMDL is a quantitative assessment of water quality problems, contributing sources, and load reductions or control actions needed to restore and protect bodies of water. As of February 9, 2007, no TMDLs have been adopted in the Orange County area of the San Diego Regional Board.

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E.3 Aliso Creek Watershed URMP Provisions:	This section in the tentative Order incorporates requirements of an Investigative Order issued by the Regional Board on October 18, 2005 to the Copermittees in the Aliso Creek watershed. This section only applies to those Copermittees.	Not applicable
F. Fiscal Analysis	This section has been expanded in order to develop more useful and meaningful fiscal reporting.	The new San Diego Permit requires the Copermittees to collectively develop a standardized method and format for annually conducting and reporting fiscal analyses of their urban runoff management programs. It lists some requirements for that process.
F.1. Secure Resources	No significant change	No significant differences
F.2. Annual Fiscal Analysis	The tentative Order requires the fiscal analysis to include a quantitative or qualitative description of the fiscal benefits realized from program implementation. The tentative Order also requires the analysis to include a narrative discussion for annual line-item changes of 25 percent or greater.	The new San Diego Permit does not include the fiscal benefits or 25 percent criteria.
F.3. Business Plan	This is a new permit section.	The new San Diego Permit does not require a business plan.
F.4 Annual Reporting	No significant change.	No significant differences

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G. Program Effectiveness Assessment	This section has been expanded in response to suggested modifications from the Copermittees and the California Stormwater Quality Association (CASQA). The current MS4 Permit requires development of a strategy for determining long-term effectiveness of each JURMP and annual assessments of the effectiveness of each JURMP. Changes are outlined below.	The new San Diego Permit also includes requirements based on the CASQA guidance and suggestions from the San Diego Copermittees.
G.1.a Assessment Objectives	This section specifies that objectives must be determined for impaired waters and ESAs. These criteria are not specified in the current MS4 Permit.	The new San Diego Permit does not require specific objectives for impaired waters or ESAs.
G.1.b Assessment Review and Program Modifications	The tentative Order specifies that BMPs found to be ineffective by the annual assessment must be replaced or improved.	No significant differences.
G.2. Effectiveness Assessment Reporting	The reporting section has been modified to clarify information required by the Regional Board to evaluate compliance.	The new San Diego Permit does not specify a focus on impaired waters or ESAs.
H. Reporting	The reporting section has been modified to clarify information required by the Regional Board to evaluate compliance.	The new San Diego Permit requires reports on Regional Urban Runoff Management Programs.
I. Modification of Programs	This is a new section to clarify the processes for minor and major program changes.	No significant differences

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J. Principal Permittee Responsibilities	No significant changes	The new San Diego Permit includes responsibilities for documenting a mechanism for Copermittee collaboration and for coordinating joint development by all of the Copermittees of standardized formats for all documents and reports.
All Copermittee Collaboration	This section has been removed from the tentative Order.	The new San Diego Permit includes an "All Copermittee Collaboration" section that is similar to the current Orange County MS4 Permit.

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<p>Receiving Waters and Urban Runoff Monitoring Program</p>	<p>Changes have been made to the monitoring and reporting program in response to current water quality and urban runoff conditions. General modifications include:</p> <ol style="list-style-type: none"> 1. The current MS4 Permit establishes the types of monitoring stations (a.k.a program components) to be included in the monitoring program, while allowing the Copermittees to develop most of the details of the program. The new monitoring requirements provide additional detail to include in the program for each of the types of monitoring stations. 2. One new type of monitoring station is included: High Priority Inland Aquatic Habitat. This program component will provide better assessments of the effect of urban runoff to environmentally-sensitive inland waters. 3. The dry-weather monitoring program component has been moved into this section. 4. Some constituents have been eliminated and others added to certain types of monitoring stations. 5. Monitoring requirements of an existing Investigative Order regarding indicator bacteria in the Aliso Creek watershed have been incorporated into the monitoring program. 	<p>The new San Diego Permit monitoring requirements reflect the conditions of waters and urban runoff in San Diego County.</p>

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I. Purpose	<p>The purpose of the monitoring and reporting program has been further clarified to meet the intent of the tentative Order. In addition, the objectives of the program have been structured around the Southern California Stormwater Monitoring Coalition's Model Monitoring Technical Committee in its August 2004 "<i>Model Monitoring Program for Municipal Separate Storm Sewer Systems in Southern California.</i>" This guidance document was developed in response to Senate Bill 72 (Kuehl), which addressed the standardization of sampling and analysis protocols in municipal stormwater monitoring programs.</p>	No significant differences
II.A.1 Mass Loading Stations	<p>The frequency of mass loading station monitoring has been modified to include two wet and two dry weather events. Currently three wet events have been targeted by the Copermittees.</p> <p>Constituents to be included in mass loading monitoring have been specified in Table 1 of the tentative Order. Changes from the current monitoring program include: Adding items required by the federal regulations (e.g., biological oxygen demand and chemical oxygen demand); adding items of concern based on existing data (e.g., carbamates and pyrethroids); and removing an item that has not been found during the existing program (dimethoate).</p> <p>A subsection for constituents causing existing water quality impairments has been added. Specifically, DDE must be monitored in San Juan Creek.</p>	No significant differences. The new San Diego Permit does not include carbamates and pyrethroids in the mass loading list, but does require a pyrethroid monitoring plan to be developed and implemented in the entire region.

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II.A.2 Urban Stream Bioassessment	<p>The tentative Order allows the Copermittees to omit one of the two annual bioassessment monitoring events in order to conduct a special study to further investigate preliminary conclusions from the existing bioassessment monitoring program.</p> <p>This section adds pyrethroids to the aquatic chemistry portion of the bioassessment monitoring component.</p> <p>Periphyton assessment must be added to the bioassessment monitoring program beginning in 2010.</p>	<p>The new San Diego Permit does not include a provision for substituting an annual event with a special study.</p> <p>The new San Diego Permit does not phase in periphyton assessment.</p>
II.A.3. Follow-up Analysis and Actions	<p>This section includes a decision matrix for conducting follow-up actions to identify causes of toxicity based on considerations of chemistry, toxicity, and bioassessment. This table is copied from the Copermittees ROWD, and is similar to one developed by the Stormwater Monitoring Coalition (SMC).</p>	<p>No significant difference. The table used in The new San Diego Permit is slightly modified from the one developed by the SMC.</p>
II.A.4. Ambient Coastal Receiving Waters	<p>This section has been modified to reflect the program implemented by the Copermittees. It allows the Copermittees to continue their existing program, while requiring that the special studies be consistent with the current goals and that stations be located within Areas of Special Biological Significance.</p> <p>The section also allows for monitoring conducted in Dana Point Harbor under an Investigative Order to substitute for required Ambient Coastal Receiving Water monitoring in the Harbor.</p>	<p>The new San Diego Permit monitoring requirements reflect the conditions of waters and urban runoff in San Diego County.</p>

Permit Section in Tentative Order No. R9-2007-02	Comparison to the Current Orange County MS4 Permit, Order No. R9-2002-01	Comparison to the new San Diego MS4 Permit, Order No. R9-2007-0001
II.A.5 Coastal Storm Drain Monitoring	<p>This section includes some modifications to the Copermittees' coastal storm drain monitoring program as it has been conducted under the current MS4 Permit.</p> <p>This section now requires sampling of a subset of dry-weather urban runoff flows that are diverted to the sanitary sewer. This is important to characterize the quality of urban runoff and effectiveness of BMPs in affected drainage areas.</p> <p>This section allows the Copermittees to reduce the monitoring effort at storm drains that rarely have elevated levels of bacteria and putting more effort toward intensive investigations of problematic storm drains.</p>	The new San Diego Permit monitoring requirements reflect the conditions of waters and urban runoff in San Diego County.
II.A.6 High Priority Inland Aquatic Habitats	This is a new monitoring component.	The new San Diego Permit has a similar program component called "Temporary Watershed Assessment Stations."
II.B.1 MS4 Outfall Monitoring	Wet weather monitoring of priority pollutants has been added to the MS4 outfall monitoring program.	No significant differences
II.B.2 Source Identification Monitoring	This tentative requirements specify that an adaptive monitoring program move progressively upstream to identify sources of priority pollutants. The current MS4 Permit allows the Copermittees to develop a monitoring program, including procedures for source-identification monitoring. The change is intended to clarify source-identification expectations.	No significant differences

Permit Section in Tentative Order No. R9-2007-02	Comparison to the Current Orange County MS4 Permit, Order No. R9-2002-01	Comparison to the new San Diego MS4 Permit, Order No. R9-2007-0001
<p>II.B.3 Dry Weather Field Screening And Analytical Monitoring</p>	<p>The dry-weather sampling minimum frequency has been increased from two times to three times. The Copermittees currently collect dry weather samples three to five times.</p> <p>Nickel is added as a dry-weather analytical requirement. Phenol has been eliminated from the current field screening requirements.</p> <p>Analytical laboratory analysis is now required at a minimum of 25 percent of samples. The Copermittees currently conduct laboratory analyses of all samples.</p> <p>The criteria used to conduct follow-up investigations must include evaluation of USEPA National Recommended Ambient Water Quality Criteria. Currently, the action levels used by the Copermittees use the California Toxics Rule criteria and other benchmarks, but do not include the USEPA criteria.</p> <p>The Copermittees must assess the presence of trash in receiving waters and storm drains at all dry-weather monitoring stations.</p>	<p>The new San Diego Permit requires that dry-weather monitoring be conducted at least once per year at each station.</p> <p>The new San Diego Permit does not include nickel in the dry-weather monitoring list.</p> <p>The new San Diego Permit does not identify criteria to be used in the development of action levels for follow-up investigations.</p>
<p>II.C Special Studies</p>	<p>The current monitoring program for indicator bacteria in the Aliso Creek watershed has been included in this section.</p>	<p>The new San Diego Permit includes reference to the Regional Harbor Monitoring Program in this section.</p>
<p>II.2.D Monitoring Provisions</p>	<p>Reference to the State of California's Surface Water Ambient Monitoring Program (SWAMP) has been added.</p>	<p>No significant differences</p>

Permit Section in Tentative Order No. R9-2007-02	Comparison to the Current Orange County MS4 Permit, Order No. R9-2002-01	Comparison to the new San Diego MS4 Permit, Order No. R9-2007-0001
III. Reporting Program	<p>The reporting due dates have been modified as follows:</p> <ol style="list-style-type: none"> 1. The planned monitoring program for each year must be submitted on September 1 of each year. The current MS4 Permit allows proposed monitoring changes to be submitted with the JURMP and WURMP annual reports. 2. The monitoring annual reports must be submitted on April 1 of each year. The current MS4 Permit requires the monitoring annual reports to be submitted with the JURMP and WURMP annual reports. 3. The Copermittees must submit the Source Identification Monitoring Plan (from section II.B.2) by July 1, 2008. 4. Interim reports of monitoring conducted through October 2008 are due on January 31, 2008 and 2009. Monitoring reports are currently due on November 15 of each year. 	No significant differences